IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

ARBITRATION PETITION NO.44 OF 2007

Maruti Countrywide Auto Financial Services Limited ..Petitioner

V/s.

Damodar Narayanswami Naidu ..Respondent

Mr.Tushar Bhavsar i/b. Mohit Gadkari & Co.for the petitioner
Mr.Suchitra Kamble a/w. Smt. S.R. Sawant for the respondent

CORAM : S.C.DHARMADHIKARI, J.

DATE : 13TH JULY, 2007

P.C.

1. This Court on 10th April, 2007 after hearing both sides had passed ad-interim order in terms of prayer clause (b) of this Arbitration Petition.

2. Mr.Tushar Bhavsar seeks time to file re-joinder affidavit. In my view, the matter has been pending for considerable length of time and no useful purpose will be served by granting any adjournment. Adjournment is refused.

3. Both sides do not dispute that the award is made in favour of the petitioner and during the course of enforcement and execution thereof and with a view to protect rights of both sides and more particularly that of the petitioner, in whose favour the award has been made, a prayer is made to grant interim orders including appointment of Court Receiver.

4. At this stage, in my view, interest of both sides would be protected if the ad-interim relief granted by this Court on 10th April, 2007 is continued till the enforcement and execution of the subject Award. In fact, both sides do not dispute that at this stage this order sufficiently protects their respective rights.

5. Needless to state that the petitioner-claimant would be at liberty to apply for further reliefs and the present order would not in any manner prejudice their rights and contentions in that behalf. Reserving said liberty the present petition is made absolute with no order as to

costs.

(S.C.DHARMADHIKARI, J.)